**THE HON'BLE SRI JUSTICE V.V.S.RAO**

WRIT PETITION No.17848 OF 2006

**29.08.2006**

Between:

Uma Rani, W/o.Mallesham

… Petitioner

AND

The Mandal Revenue Officer, Malkajgiri Mandal,
Ranga Reddy District And others

… Respondents

**THE HON'BLE SRI JUSTICE V.V.S.RAO**

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ORDER:

The petitioner is allegedly in possession of the land admeasuring 66 Sq.yards in survey No.844/1 of Malkajgiri Village, which was initially assigned to the father of the petitioner in 1975. The petitioner also claims the land as belonged to the Government. One Smt.Chandra Purushotham filed land grabbing case being L.G.C.No.64 of 1994 on the file of the Special Court constituted under the provisions of A.P.Land Grabbing (Prohibition) Act, 1982 (the Act, for brevity) (hereafter called, the Special Court). The Special Court by judgment and decree dated 20.7.2000 declared Smt.Chandra Purushotham to be the owner of the land in survey No.844/1 and directed the respondents in L.G.C., namely, M/s.Ganesh, Jagadish and Prakash, to deliver possession to Smt.Chandra Purushotham. The same became final. It appears, that Smt.Shobha and four others filed W.P.No.26129 of 2005 before this Court seeking a writ of Mandamus declaring the action of the revenue officials from interfering with their possession as illegal. This Court initially passed interim orders on 07.12.2005 directing the District Collector, Ranga Reddy District; Revenue Divisional Officer, and Mandal Revenue Officer, Malkajgiri Mandal, not to interfere with the possession of the petitioners. The order was subsequently vacated by this Court in W.V.M.P.Nos.1223 and 1307 of 2006 dated 28.7.2006. Thereafter, the respondent herein issued a notice to Smt.Chandra Purushotham (applicant in L.G.C.No.64 of 1994) requesting her to provide men, machinery and expenditure for demolishing the structures in plot No.20 in survey No.844/23 of Malkajgiri Village. A copy thereof was marked to the petitioner, aggrieved by which, the present writ petition is filed.

Learned Counsel for the petitioner submits that though the petitioner is in possession of the land, she is not made party to L.G.C., and therefore, the order of the Special Court is not binding on her. Secondly, it is submitted that the MRO passed orders vide impugned memo dated 09.8.2006 for demolition of structures without notice to the petitioner and, therefore, the order is unsustainable. **Per contra**, the learned Assistant Government Pleader for Revenue (Assignment) placed reliance on the decision of this Court in **Mullapudi Satyam and**

**others v Sub-Collector, Vijayawada, Krishna District**[1] in support of the contention that while executing the orders of the Special Court, the RDO is required to issue necessary authorization to the revenue officials, who are entitled to evict all the persons in occupation of the land, which form part of the schedule land.

A perusal of Rule 15 of the A.P. Land Grabbing (Prohibition) Rules, 1988, would show that when an order is passed by the Special Court or Special Tribunal constituted under the Act, it is incumbent on the part of the RDO to give effect to the said order by evicting the land grabbers, the persons who are claiming through land grabbers and all the persons who are found to be in possession of the land grabbed. Therefore, this Court does not find any infirmity in the action of the respondent in issuing the impugned memo to the petitioner to deposit the amount and provide men and machinery for demolition of the structures.

The writ petition is misconceived and is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

August 29, 2006
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[1] 2003(5) ALD 679